UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) CRIMINAL NO. 04-10111-MEL
v. 1. JERMAINE ANDERSON, a/k/a "TONY,") VIOLATIONS:) 21 U.S.C. § 841(a)(1)) Distribution of Cocaine) Base)
2. ALRED G. RYAN and) 21 U.S.C. § 846) Conspiracy to Distribute
3. COREY SMITH, a/k/a "BLACK" and) Cocaine Base
"BLACKIE,") 21 U.S.C. § 860(a) - School) Zone Violation
Defendants.)) 18 U.S.C. § 2) Aiding and Abetting

SUPERSEDING INDICTMENT

COUNT ONE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation)

The Grand Jury charges that:

On or about October 2, 2003, at Boston, in the District of Massachusetts,

JERMAINE ANDERSON, a/k/a "TONY,"

defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. School, a public middle school.

COUNT TWO: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. § 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about October 2, 2003, at Boston, in the District of Massachusetts.

JERMAINE ANDERSON, a/k/a "TONY" and
 COREY SMITH, a/k/a "BLACK" and "BLACKIE",

defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT THREE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation; 18 U.S.C. § 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about October 7, 2003, at Boston, in the District of Massachusetts,

JERMAINE ANDERSON, a/k/a "TONY" and COREY SMITH, a/k/a "BLACK" and "BLACKIE",

defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a), and Title 18, United States Code, Section 2.

COUNT FOUR: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation)

The Grand Jury further charges that:

On or about October 9, 2003, at Boston, in the District of Massachusetts,

defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

COUNT FIVE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation)

The Grand Jury further charges that:

On or about October 9, 2003, at Boston, in the District of Massachusetts,

JERMAINE ANDERSON, a/k/a "TONY"

defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

COUNT SIX: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation)

The Grand Jury further charges that:

On or about November 6, 2003, at Boston, in the District of Massachusetts,

1. JERMAINE ANDERSON, a/k/a "TONY,"

defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

COUNT SEVEN: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation; 18 U.S.C. § 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about November 19, 2003, at Boston, in the District of Massachusetts,

JERMAINE ANDERSON, a/k/a "TONY" and COREY SMITH, a/k/a "BLACK" and "BLACKIE",

defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a), and Title 18, United States Code, Section 2.

COUNT EIGHT: (21 U.S.C. § 846 -- Conspiracy to Distribute Cocaine Base)

The Grand Jury further charges that:

Beginning at least on or about November 20, 2003, and continuing through at least on or about November 22, 2003, at Boston, in the District of Massachusetts,

2. FRED G. RYAN and

3. COREY SMITH, a/k/a "BLACK" and "BLACKIE,"

defendants herein, did knowingly and intentionally combine, conspire, confederate, and agree with each other to possess with intent to distribute, and to distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

The Grand Jury further charges that the aforesaid offense involved five grams or more of a mixture or substance containing a detectable amount of cocaine base, also known as "crack."

Accordingly, Title 21, United States Code, Section

841(b)(1)(B)(iii) is applicable to this offense.

All in violation of Title 21, United States Code, Section 846.

COUNT NINE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- Playground Zone Violation)

The Grand Jury further charges that:

On or about November 20, 2003, at Boston, in the District of Massachusetts,

3. COREY SMITH, a/k/a "BLACK" and "BLACKIE," defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the Little Scobie Playground.

COUNT TEN: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation; 18 U.S.C. § 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about November 22, 2003, at Boston, in the District of Massachusetts,

2. ALFRED G. RYAN and

3. COREY SMITH, a/k/a "BLACK" and "BLACKIE,"

defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a), and Title 18, United States Code, Section 2.

Notice Of Additional Factors

The Grand Jury further charges that:

- 1. Defendant Jermaine Anderson, a/k/a "Tony," is responsible for at least 5, but less than 20, grams of cocaine base, also known as "crack" cocaine. Accordingly, U.S.S.G. § 2D1.1(c)(7) applies to this defendant.
- 2. In connection with Counts Eight and Ten, and relevant conduct as described in U.S.S.G. § 1B1.3, defendant Alfred G. Ryan is responsible for at least 5, but less than 20, grams of cocaine base, also known as "crack" cocaine. Accordingly, U.S.S.G. § 2D1.1(c)(7) applies to this defendant.
- 3. Defendant Corey Smith, a/k/a "Black" and "Blackie," is responsible for at least 5, but less than 20, grams of cocaine base, also known as "crack" cocaine. Accordingly, U.S.S.G. § 2D1.1(c)(7) applies to this defendant.

A TRUE BILL

FOREPERSON OF THE GRAND JURY

ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS: October 28, 2004

Returned into the District Court by the Grand Jurors and filed.

DEPUTY CLERK

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City Boston	Criminal Case	Cover Sheet		U.S. District Court - D	istrict of Massachusetts
Suffolk Superseding Ind / Inf. X Case No. 04-10111-ME	Place of Offense:	Cate	gory No. <u>II</u>	Investigating Agency	DEA
Same Defendant X New Defendant Magistrate Judge Case Number R 20/R 40 from District of Search Warrant Case Number R 20/R 40 from District of Defendant Information: Defendant Name Jermaine Anderson Juvenile:	City Boston		Related Case Informat	tion:	
Defendant Name Grmaine Anderson Juvenile: Yes No Alias Name Tony Address 16 Rockland Street, Roxbury, MA Birthdate: 1982 SS # -7756 Sex: Male Race: African-American Nationalit US Defense Counsel if known: Walter Underhill Address 66 Long Wharf Bar Number Roston, MA 02110 U.S. Attorney Information: AUSA Patrick M. Hamilton Bar Number if applicable Interpreter: Yes X No List language and/or dialect: Matter to be SEALED: X Yes No Warrant Requested Regular Process X In Custody Location Status: Arrest Date April 15, 2004 X Already in Federal Custody as of April 15, 2004 in Plymouth Already in State Custody Serving Sentence Awaiting Trial On Pretrial Release: Ordered by: on Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor X Felony 6 Continue on Page 2 for Entry of U.S.C. Citations 1 Inferby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	County Suffoi	lk	Same Defendant X Magistrate Judge Case N Search Warrant Case Nu	New Defenda	ant
Adias Name Tony Address 16 Rockland Street, Roxbury, MA Birthdate: 1982 SS # _7756 Sex: Male Race: African-American Nationalit US Defense Counsel if known: Walter Underbill Address 66 Long Wharf Bar Number Boston, MA 02110 U.S. Attorney Information: AUSA Patrick M. Hamilton Bar Number if applicable Interpreter: Yes X No List language and/or dialect: Matter to be SEALED: X Yes No Warrant Requested Regular Process X In Custody Location Status: Arrest Date April 15, 2004 X Already in Federal Custody as of April 15, 2004 in Plymouth Already in State Custody Serving Sentence Awaiting Trial on Pretrial Release: Ordered by: on Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor X Felony 6 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Defendant Inform	nation:			····
Alias Name	Defendant Name	Jermaine Anderson		Juvenile: 🔲 Y	es ■ No
Address	Alias Name	an and a second		_	
Birthdate: 1982 SS # -7756 Sex: Male Race: African-American Nationalit US Defense Counsel if known: Walter Underhill Address 66 Long Wharf Bar Number Boston, MA 02110 U.S. Attorney Information: AUSA Patrick M. Hamilton Bar Number if applicable Interpreter: Yes X No List language and/or dialect: Matter to be SEALED: X Yes No Warrant Requested Regular Process X In Custody Location Status: Arrest Date April 15, 2004 X Already in Federal Custody as of April 15, 2004 in Plymouth Already in State Custody Serving Sentence Awaiting Trial On Pretrial Release: Ordered by: Charging Document: Complaint Information X Indictment Total # of Counts: Petty Information X Felony 6 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Address	16 Rockland Street, Ro	xbury, MA		
Bar Number	Birthdate: 1982				
U.S. Attorney Information: AUSA Patrick M. Hamilton Bar Number if applicable Interpreter: Yes X No List language and/or dialect: Matter to be SEALED: X Yes No Warrant Requested Regular Process X In Custody Location Status: Arrest Date April 15, 2004 X Already in Federal Custody as of April 15, 2004 in Plymouth Already in State Custody Serving Sentence Awaiting Trial On Pretrial Release: Ordered by: On Pretrial Release: Ordered by: Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor X Felony 6 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.					
AUSA Patrick M. Hamilton Bar Number if applicable Interpreter: Yes X No List language and/or dialect: Matter to be SEALED: X Yes No Warrant Requested Regular Process X In Custody Location Status: Arrest Date April 15, 2004 X Already in Federal Custody as of April 15, 2004 in Plymouth Already in State Custody Serving Sentence Awaiting Trial on Pretrial Release: Ordered by: On Pretrial Release: Ordered by: Charging Document: Complaint Information X Indictment Total # of Counts: Petty Information X Felony 6 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Bar Number			Boston, MA 0	02110
Interpreter: Yes X No List language and/or dialect: Matter to be SEALED: X Yes No Warrant Requested	U.S. Attorney Info	ormation:			
Interpreter: Yes X No List language and/or dialect: Matter to be SEALED: X Yes No Warrant Requested □ Regular Process X In Custody Location Status: Arrest Date April 15, 2004 X Already in Federal Custody as of Already in State Custody Serving Sentence □ Awaiting Trial □ On Pretrial Release: Ordered by: on Charging Document: Complaint □ Information X Indictment Total # of Counts: □ Petty □ Misdemeanor X Felony 6 Continue on Page 2 for Entry of U.S.C. Citations □ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above. October 28, 2004 Signature of AUSA:	AUSA Patrick N	M. Hamilton	Bar N	umber if applicable	
Warrant Requested	Interpreter:	Yes X No	List language and	d/or dialect:	
Location Status: Arrest Date April 15, 2004 X Already in Federal Custody as of April 15, 2004 in Plymouth Already in State Custody Serving Sentence Awaiting Trial On Pretrial Release: Ordered by: Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor X Felony 6 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Matter to be SEA	LED: X Yes	No	-	
Arrest Date April 15, 2004 X Already in Federal Custody as of April 15, 2004 in Plymouth Already in State Custody Serving Sentence Awaiting Trial on Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor X Felony 6 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Warrant	Requested	☐ Regular Process	X In Custody	
X Already in Federal Custody as of April 15, 2004 in Plymouth Already in State Custody Serving Sentence Awaiting Trial On Pretrial Release: Ordered by: Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor X Felony 6 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Location Status:		J	ar eustody	
Already in State Custody Serving Sentence Awaiting Trial On Pretrial Release: Ordered by: Charging Document: Complaint Information X Indictment Total # of Counts: Petty Misdemeanor X Felony 6 Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.	Arrest Date	April 15, 2004			
Total # of Counts: Petty —	☐ Already in State	Custody		☐ Awaiting Trial	
Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above. Date: October 28, 2004 Signature of AUSA:	Charging Docume	ent: Complaint	☐ Information	on X Indic	tment
I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above. Date: October 28, 2004 Signature of AUSA:	Total # of Counts:	□ Petty –	——— □ Misdemea	anor — X Felor	ny 6
Date: October 28, 2004 Signature of AUSA:		Continu	ue on Page 2 for Entry of U	J.S.C. Citations	
Signature of Mosh. (☐ I hereby ce accurately	ertify that the case numb set forth above.	ers of any prior proceed	lings before a Magistrate J	Judge are
\ Parrick M. Hamilton 3	Date: October 28	3, 2004 Sign	<u> </u>	ick M. Hamilton	- Üe

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District Court Case Number (To be filled in by deputy clerk):				
Name of Defendant Jermaine Anderson				
	U.S.C. Citations			
dex Key/Code	Description of Offense Charged	Count Numbers		
.C. §§ 841(a)(1) 860	Distribution of cocaine base in a school zone	1, 2, 3, 5, 6 & 7		
C. § 2	Aiding and abetting	2, 3 and 7		
ADDITIONAL INFORMATION:				
	dex Key/Code C. §§ 841(a)(1) 860 C. § 2 INFORMATION:	U.S.C. Citations Description of Offense Charged C. §§ 841(a)(1) Bistribution of cocaine base in a school zone C. § 2 Aiding and abetting		

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Criminal Case Cover Sheet		U.S. District Court - District of Massachusetts
Place of Offense:	Category No. II	Investigating Agency <u>DEA</u>
City Boston	Related Case Informat	ion:
County Suffolk	Superseding Ind./ Inf. Same Defendant X Magistrate Judge Case N Search Warrant Case Nu R 20/R 40 from District	ımber
Defendant Information:		
Defendant Name <u>Alfred G. Ryan</u> Alias Name		_ Juvenile: ☐ Yes ■ No
- "-"-		
Birthdate: <u>1973</u> SS # <u>- 05</u>	73 Sex: Male Race:	African-American Nationalit US
Defense Counsel if known:	John Amabile	Address 197 Portland Street
Bar Number		Boston, MA 02114
U.S. Attorney Information:		
AUSA Patrick M. Hamilton	Bar N	umber if applicable
Interpreter: Yes X	No List language an	d/or dialect:
Matter to be SEALED:	Yes X No	
Warrant Requested	☐ Regular Process	X In Custody
Location Status:		
Arrest Date		
X Already in Federal Custody as of Already in State Custody	4/21/04 Serving Sentence	in Plymouth . Awaiting Trial
☐ On Pretrial Release: Ordered	by:	on
Charging Document: C	omplaint Informati	ion X Indictment
Total # of Counts:	Petty —	eanor — X Felony 2
	Continue on Page 2 for Entry of	U.S.C. Citations
☐ I hereby certify that the ca accurately set forth above.	ase numbers of any prior proceed	dings before a Magistrate Judge are
Date: October 28, 2004	Signature of AUSA:	rick M. Hamilton

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ne of Defendant Alfred C	G. Ryan	
Yarday Way/Cada	U.S.C. Citations	Charact Name have
<u>Index Key/Code</u>	Description of Offense Charged	Count Numbers
1 <u>21 U.S.C. § 846</u>	Conspiracy to distribute cocaine base	8
2 21 U.S.C. §§ 841(a)(1) and and 860	Distribution of cocaine base in a school zone	10
3 <u>18 U.S.C. § 2</u>	Aiding and abetting	10
4		
5		
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Criminal Case C	Cover Sheet		U.S. Distri	ct Court - District of Massachusetts
Place of Offense:	Categ	ory No. <u>II</u>	Investig	ating Agency <u>DEA</u>
City Boston		Related Case Informat	tion:	
County Suffold	ς		Number	Case No. 04-10111-MEL New Defendant
Defendant Inform	nation:			
Defendant Name	Corey Smith		_ Juvenile:	□ Yes ■ No
Alias Name	Black and Blackie			
Address	81 Moreland Street, #2,	Roxbury, MA		
Birthdate: 1982	SS# <u>- 6642</u>	Sex: Male Race:	African-Ame	erican Nationalit <u>US</u>
Defense Counsel i	f known: Micha	el Bourbeau	Address	77 Central Street, 2nd Floor
Bar Number				Boston, MA 02109
U.S. Attorney Info	ormation:			
AUSA Patrick N	1. Hamilton	Bar N	lumber if appl	icable
Interpreter:	Yes X No	List language ar	nd/or dialect:	
Matter to be SEA	LED: Yes	X No		
Warrant i	Requested	X Regular Process		In Custody
Location Status:	•	-		·
Arrest Date				
☐ Already in Fede	eral Custody as of		in	
☐ Already in State	•	Serving Sentence		vaiting Trial
X On Pretrial Rele	ease: Ordered by:	USMJ Collings	on	4/26/04 to Spectrum House
Charging Docume	ent: Complain	t 🗆 Informat	ion	X Indictment
Total # of Counts:	□ Petty -	— ☐ Misdem	eanor ———	X Felony 8
	Contin	ue on Page 2 for Entry of	U.S.C. Citati	ons
☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.				
Date: October 2	8, 2004 Sig	mature of AUSA:	trick M. Hami	Olton Personal Property

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District Court Case Number (To be filled in by deputy clerk):				
Name	of Defendant	Corey Smith		
			U.S.C. Citations	
	Index Ke	ey/Code	Description of Offense Charged	Count Numbers
Set 1	21 U.S.C. §§	841(a)(1)	Distribution of cocaine base in a school zone	2, 3, 4, 5,7 & 10
Set 2	and 860 21 U.S.C. §§ and 860	841(a)(1)	Distribution of cocaine base in a playground zone	9
Set 3	21 U.S.C. § 84	46	Conspiracy to distribute cocaine base	8
Set 4				
Set 5				
Set 6				
Set 7				
Set 8				
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Set 10				
Set 11				
Set 12		·····		
Set 13				
Set 14				
Set 15				
ADDIT	TIONAL INFO	PRMATION: _		